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August 11, 2021

**VIA ECF**

Hon. Naomi Reice Buchwald  
United States District Judge  
Southern District of New York  
United States Courthouse  
500 Pearl Street, Courtroom 21A  
New York, New York 10007-1312

***Re:     Stewart v. Stewart  
       Case No. 1:19-cv-05960-NRB***

Dear Judge Buchwald:

This letter constitutes the Plaintiff's report to the Court with respect to settlement. Nate McMurray of this office was planning to write this report. However, Mr. McMurray had a death in his family late yesterday and he is presently unavailable.

In accordance with the discussion during the telephone conference with the Court last Wednesday, the following day the Plaintiff provided a settlement proposal to the Defendant's attorneys which is very similar to the initial settlement proposal presented by the Defendant in January, 2021 and later withdrawn. In that connection, to settle the case Plaintiff proposed to accept the jewelry set forth on the list the Defendant offered in January and add a monetary component to account for a particular piece of jewelry (a bracelet) which was sold by the Defendant.

We did not receive the Defendant's response to the aforementioned settlement proposal until after the close of business yesterday. Therefore, we have not had an opportunity to fully evaluate the response or further communicate with the Defendant's counsel concerning settlement.

Based on the commentary set forth in the referenced response of Defendant's counsel received yesterday, we expect the claim to be made that Mrs. Stewart has no interest in settling this case and is not negotiating in good faith. In fact, our client is very interested in settlement and starting discussions close to the Defendant's original settlement proposal certainly seems

reasonable. Perhaps a settlement conference with Your Honor or a Court-appointed mediator would be useful.

Thank you for your consideration.

Respectfully yours,



Edward P. Yankelunas

EPY/kms

CC: David P. Marcus, Esq. *(via ECF)*  
Nate McMurray, Esq. *(via ECF)*  
Catherine Pastrikos Kelly, Esq. *(via ECF)*  
David B. Grantz, Esq. *(via ECF)*  
Javier M. Lopez, Esq. *(via ECF)*